

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MAURICE MOORE,

Plaintiff,

vs.

LAURIE YARDELY, County Court
Judge;

Defendant.

4:18CV3124

**MEMORANDUM
AND ORDER**

This matter is before the court on a Motion for Leave to Proceed In Forma Pauperis (“IFP”) ([filing no. 2](#)) and a “Motion for Subpoena Duces Tecum In Forma Pauperis” ([filing no. 3](#)) filed by Plaintiff Maurice Moore, a non-prisoner.

Upon review of Plaintiff’s IFP motion, the court finds that Plaintiff is financially eligible to proceed IFP.

With respect to Plaintiff’s “Motion for Subpoena Duces Tecum In Forma Pauperis,” the court will deny this motion as premature. Before this matter may proceed to service of process or discovery, this court will conduct an initial review of Plaintiff’s claims to determine whether summary dismissal of Plaintiff’s Complaint is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The court will conduct its initial review of Plaintiff’s Complaint in its normal course of business.

IT IS THEREFORE ORDERED that

1. Plaintiff’s Motion for Leave to Proceed In Forma Pauperis ([filing no. 2](#)) is granted, and the Complaint shall be filed without payment of fees.

2. Plaintiff's "Motion for Subpoena Duces Tecum In Forma Pauperis" ([filing no. 3](#)) is denied without prejudice to reassertion.

3. Plaintiff is advised that the next step in his case will be for the court to conduct an initial review of his claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The court will conduct this initial review in its normal course of business.

Dated this 10th day of September, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge